

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, AUGUST 26, 1999  
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Bob Workman  
Linda Steinman  
Bernie Heier  
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk  
Ann Taylor, County Clerk's Office

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, AUGUST 17, 1999 AND THURSDAY, AUGUST 19, 1999**

**MOTION:** Heier moved and Steinman seconded approval of both sets of minutes. On call Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- a. Employee Investment Program
- b. Industry Comments with Regards to Proposed Model Telecommunications and Personal Wireless Services Ordinances
- c. Public Concern with Regards to Lancaster County Agricultural Society
- d. Attention Center Transition Meeting
- e. Wilderness Park Meeting

**MOTION:** Heier moved and Steinman seconded approval of the additions to the agenda. On call Heier, Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

**3 FINAL BUDGET REVIEW - Dave Kroeker, Budget & Fiscal Officer**

Dave Kroeker, Budget & Fiscal Officer, reported that the certified valuation has increased from the valuation used in the proposed budget by \$45,319,688. With the County Board's goal of reducing the tax rate by two cents, this provides an additional \$254,151 of tax revenue that can be used to fund the Lincoln Downtown Senior Center's skywalk connection and the anticipated increase in group insurance rates that were brought to the Board's attention after finalizing the proposed budget (Exhibit A).

Additional requests for increases are as follows (Exhibit A):

- \* Mental Health Fund - Cash Reserve
- \* Emergency Services - Sirens (Grant submitted to the Federal Emergency Management Agency)
- \* City Group Insurance (County's share for joint agencies)
- \* County Attorney - Additional Paralegal
- \* Clerk of the District Court - Overtime, Additional Temporary Services & \$100,000 Contingency Fund to Handle Insufficient Fund Checks to Comply with LB 637 (Requires the Clerk of the District Court to disburse child support order payments within two business days of receipt)
- \* Attention Center - Emergency Placement of Youth

Kroeker reported that a computer request in the amount of \$4,000 was also received from Emergency Services, but indicated that the County's portion of funding is still being reviewed as the equipment is shared with 911/Emergency Communications. He also reported that a bill for \$6,342 for the move of Emergency Services' repeaters was referred to Don Killeen, County Property Manager, as it was believed to be a Public Building Commission expense.

Board consensus to seek a County Attorney's Opinion as to the appropriate method for the Clerk of the District Court to handle insufficient fund checks in compliance with provisions of LB 637.

**MOTION:** Hudkins moved and Heier seconded to authorize Kathy Campbell, Chair, and Kerry Eagan, Chief Administrative Officer, to discuss the assistance that might be provided through an audit of job positions in the Clerk of the District Court's Office with Kelly Moore Guenzel Handlos, Clerk of the District Court, and the presiding District Court Judge, with review of staffing needs at mid-year, and to inform Handlos of the Board's decision to seek a County Attorney's opinion with regards to LB 637. On call Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

Kroeker reviewed the Clerk of the District Court's staffing and overtime expenses in the *Lancaster County Expense Budget Proposed* and *Lancaster County Employees by Agency, Last 5 Years* (Exhibit B), noting expenses related to temporary services needs to be reflected in Line Item 3091, rather than Other Misc Fees & Services (Line Item 3412).

Steinman asked whether the Clerk of the District Court has experienced staffing problems related to the Children Have a Right to Support (CHARTS) system similar to those described by the County Attorney in his letter to the Board (See Exhibit A).

Campbell reported that she had met with Gary Lacey, County Attorney and suggested that staffing necessary to process child support cases as a result of problems with the CHARTS system be handled with a temporary position out of his agency's budget.

**MOTION:** Heier moved and Workman seconded to respond to the County Attorney, as outlined, and to forward the County Attorney's letter, with a cover letter from the Board, to Lori McClurg in the Governor's Office relaying the concern that the County is incurring additional expense as a result of problems with the CHARTS system. On call Heier, Workman, Hudkins, Steinman and Campbell voted aye. Motion carried.

Kroeker also reviewed the following materials (Exhibit C):

- \* Lancaster Allocation of Levy
- \* FY99 Tax & Levy Information on Lancaster County Fire Districts

In response to a question from Hudkins, Kroeker stated none of the fire districts are at the maximum levy and all their requests are met.

Campbell reported that the Village of Bennet is giving consideration to becoming a part of the Bennet Rural Fire District, rather than contracting for services. She noted such action will require a petition of the County Board, so a County Attorney's Opinion will be sought to clarify County Board responsibility.

**NOTE:** The Board will take action to adopt the Lancaster County and Rural Library's budgets for 1999/2000 and final allocation of levy to all political subdivisions subject to the Lancaster County levy authority at the Tuesday, August 31<sup>st</sup> County Board of Commissioners Meeting.

Hudkins indicated that he will not be present for that meeting, but supports the budget as presented.

Kroeker noted an additional public hearing on the budget must be held if there is a change in levy for any of the funds in the County budget. Since a decrease will occur this year, an additional public hearing will be scheduled mid September.

**4 RAILROAD TRANSPORTATION SAFETY DISTRICT PROJECTS** - Roger Figard, City Engineer

Roger Figard, City Engineer, presented the following materials (Exhibits D & E):

- \* *Railroad Transportation Safety District, Annual Operating Budget Request for FY1999-2000*
- \* *Railroad Transportation Safety District, 1999-2009 Capital Improvement Program*
- \* *Railroad Transportation Safety District, Flow of Funds Statement as of August 6, 1999*

Figard noted that subsequent to presentation of the Railroad Transportation Safety District's Budget, the City requested the RTSD's financial support of the proposed baseball project. He suggested the RTSD could participate in the project this year by reducing funding of Project 7 (Antelope Valley Railroad Crossing Improvements) for Fiscal Year 1999/2000 by 1.25 million and applying that amount to the new project, which would become Project 13 (Baseball Partnership Project). Figard indicated this reallocation is feasible because more funds were available in the Antelope Valley Project than initially accounted for.

Figard explained that \$1 million is intended for the pedestrian overpass and \$250,000 for acquisition of right-of-way from the Union Pacific Railroad. If the railroad will agree to donate the cost of the right-of-way, these funds will be returned to the General Fund.

Workman noted that in the past, the RTSD funds have been used for elimination, rather than creation, of safety concerns.

Figard stated the RTSD's legal counsel has issued an opinion that the pedestrian overpass and acquisition of right-of-way is an appropriate use of RTSD funds, since another entity proposed the project.

In response to a question from Hudkins, Figard said Project 5 of the Capital Improvement Plan includes funds for planning a railroad overpass at 27<sup>th</sup> Street & Saltillo Road in the first year, with construction funding planned for the fourth year.

Hudkins questioned why funds would be expended for planning and construction when the proposed South Beltway Corridor is within close proximity.

Figard stated the planning stage will include the beltway process and construction will not proceed automatically.

Campbell remarked that the planning process for Saltillo Road will also consider the impact of Southpointe Pavilions at 27<sup>th</sup> & Pine Lake Road.

Hudkins stated that he wants to go on record as opposing construction of overpasses on two roads of such close proximity and is reluctant to include funds for planning such construction in the RTSD budget. He noted, however, that he would support a study of traffic patterns to facilitate selection of one of these roads as a preferred route.

**5 AFFIRMATIVE ACTION PROGRAM & COMMISSIONERS' AWARD OF EXCELLENCE** - Pat Kant, Personnel Coordinator, Georgia Glass, Personnel Director

Commissioner's Award of Excellence

Pat Kant, Personnel Coordinator, recommended the following changes to the Lancaster County Commissioners' Award of Excellence Program (Exhibit F):

- \* Presentation of the County Commissioners' Annual Award of Excellence once every calendar year
- \* Make respective departments responsible for the cost of savings bonds presented to recipients

**NOTE:** The Board will take action to adopt changes to the Lancaster County Commissioners' Award of Excellence Program at the Tuesday, August 31<sup>st</sup> County Board of Commissioners Meeting.

Kant also reported that the Selection Committee has experienced difficulty in maintaining a quorum.

**MOTION:** Hudkins moved and Workman seconded to authorize a letter to be sent, with the Chair's signature, to members of the Lancaster County Commissioners' Award of Excellence Selection Committee outlining their duties and requesting that any members who are unable to fulfill their commitment notify Pat Kant, Personnel Coordinator. On call Hudkins, Workman, Heier, Steinman and Campbell voted aye. Motion carried.

#### Affirmative Action Program

Kant presented a memo proposing revision of the Lancaster County Affirmative Action Program, adopted in 1982, to comply with legislation (Exhibit G). She presented a draft of *Lancaster County Affirmative Action Program 1999* (Exhibit H), noting County Attorney review of the document is still required.

Campbell suggested that Gary Chalupa, County Veterans Services Officer, be requested to review the Veterans Preference Law portion of the document.

Board consensus to appoint Georgia Glass, Personnel Director, to serve as the County's Affirmative Action Manager.

#### **6 JURY CHAIRS FOR NEW JUSTICE BUILDING** - Don Killeen, County Property Manager; Steve Flanders, Project Manager; Vince Mejer, Purchasing Agent, District Court Judge Jeffrey Chevront

Don Killeen, County Property Manager, briefly reviewed courtroom chairs options for the Justice and Law Enforcement Center (Exhibit I). He noted the District Court Judges have recommended selection of the "Courthouse" chair model, which is consistent with the counsel chair selection and budget.

Steve Flanders, Project Manager, added that the manufacturer has agreed to substitute vinyl for leather in the chair upholstery.

Vince Mejer, Purchasing Agent, asked whether installation and chair bases are included in the quoted price.

Flanders indicated that they are.

**MOTION:** Hudkins moved and Steinman seconded to accept the recommendation of selection of the "Courthouse" chair model for courtrooms in the Justice and Law Enforcement Center. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

### **ADDITIONS TO THE AGENDA**

a. Employee Investment Program

Eagan reported on a request from Nationwide Retirement Solutions (formerly known as the Public Employees Benefit Service Corporation or PEBSCO) to present information about the "Fund Select" investment program for employees (Exhibit J).

Board consensus to decline the presentation, but request the Personnel Department to review options and report to the Board.

b. Industry Comments with Regards to Proposed Model Telecommunications and Personal Wireless Services Ordinances

Eagan reported on a meeting with Tom Duchen, Telecommunications Consultant, to discuss industry comments with regards to the proposed Model Telecommunications and Personal Wireless Services Ordinances. He stated Duchen will be submitting a written summary of industry comments, with possible responses, to the Board.

Eagan also reported that funds for the telecommunications consultants are nearly depleted and the Board will need to decide whether to extend their contract or assign duties to staff.

c. Public Concern with Regards to Lancaster County Agricultural Society

Campbell and Hudkins agreed to meet on this matter.

d. Attention Center Transition Meeting

Heier reported that a pre-HONI (How to Operate New Institutions) presentation on transition strategy was given by Dave Boucher, consultant for the National Institute of Corrections (NIC).

e. Wilderness Park Meeting

Heier reported that the final meeting will be held on September 2<sup>nd</sup>.

Mike DeKalb, Planning Department, noted the Lincoln Lancaster Mediation Center will be submitting a final report, at which time briefings will be provided to the County Board, City Council and Mayor.

**7 PLANNING DEPARTMENT FEES INCREASE** - John Bradley, Interim Planning Director; Mike DeKalb, Planning Department

John Bradley, Interim Planning Director, briefly reviewed proposed revisions to the *City of Lincoln/Lancaster County, Subdivision and Zoning Fee Schedules*, noting that the County Notification Fee, shown in the second tier, should be eliminated from the schedule (Exhibit K).

In response to a question from Heier, Bradley stated the Home Builders Association has been supportive of the fee increases.

Workman asked whether the new fee schedule would discourage Community Unit Plans.

Mike DeKalb, Planning Department, said no, since credits are given for plat and subdivision fees.

Bradley suggested that the proposed fee schedule be sent to members of the development community, with a cover letter inviting comment.

Campbell requested that the letter emphasize the fact that the County has not revised fees since 1979.

**MOTION:** Steinman moved and Heier seconded to authorize John Bradley, Interim Planning Director, to send out the draft of proposed City of Lincoln/Lancaster County, Subdivision and Zoning Fee Schedules for comment and to proceed with the process for amendment of the zoning code through the Planning Commission.

Workman suggested periodic review of the fee schedule.

**ON CALL:** Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

**RETURN TO FINAL BUDGET REVIEW**

Workman noted that three of the Commissioners reside in rural areas and are unable to view broadcasts of City and County government meetings on Cablevision. He proposed purchase of a laptop computer for the County Board's use, to allow access via videostreaming.

The Board requested a demonstration of videostreaming, using a narrow band feed to simulate rural conditions.

**8 PENDING LITIGATION AND PERSONNEL MATTER (EXECUTIVE SESSION)** - Doug Cyr, Deputy County Attorney; Sue Eckley, Workers' Compensation & Risk Management Manager

**MOTION:** Steinman moved and Hudkins seconded to enter Executive Session at 10:50 a.m. for discussion of pending litigation and a personnel matter. On call Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

**MOTION:** Steinman moved and Workman seconded to exit Executive Session at 11:50 a.m. On call Steinman, Workman, Heier, Hudkins and Campbell voted aye. Motion carried.

**9 DIRECTOR SALARIES** - John Cripe, Classification and Pay Manager; Georgia Glass, Personnel Director

This item was deferred due to time constraints.

**10 CONSENT ITEMS**

- a. Vacation Request from Bill Bonacker, Community Mental Health Center Interim Director, for Friday, August 27 through Wednesday, September 1, 1999
- b. Authorization to Develop a Contract with Charles Theisen (\$7,500) for Juvenile Mental Health Evaluations & Recommendations
- c. \$5,000 Increase in Adult Probation Microcomputer Request, C#99055 (Total of \$91,049.37)

**MOTION:** Hudkins moved and Steinman seconded approval of the Consent Items. On call Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

**11 ADMINISTRATIVE OFFICER REPORT**

- a. Jake Brakes

Workman asked that consideration be given to banning use of jake brakes on paved roads within the County.

Brief discussion took place, with Board members noting concern that enforcement will be difficult. Suggestions included notifying trucking companies of offending drivers and formation of a study committee, to include representatives of law enforcement and the trucking industry.

Board consensus to monitor City Council action on the issue.

- b. Attention Center Airpark Lease

Eagan reported that Diane Staab, Deputy County Attorney, is reviewing the lease to insure coordination with occupation of the new Juvenile Detention Facility.

Hudkins requested that the Lancaster Correctional Facility (LCF) lease also be reviewed as there may be grant funds available for a closed loop energy system.

- c. Justice and Law Enforcement Center Tour

Justice and Law Enforcement Center on September 16<sup>th</sup>, immediately following the Super Commons meeting.

- d. Conference Room

See Item 12a.

- e. Planning Director Update

Campbell reported that screening interviews are completed and background checks initiated. She stated the top three candidates for the position will be in Lincoln and will meet with three panels, comprised of professionals, colleagues and community representatives, on September 15<sup>th</sup>. Interviews with members of the Super Commons and the Mayor will take place on September 16<sup>th</sup>.

- f. Special Designated License for Barry's Bar & Grill - September 25, 1999

Mike Webb, Barry's Bar & Grill Manager, appeared to brief the Board on an application for a Special Designated License to hold a concert featuring country music artists in a pasture at 40<sup>th</sup> and West Van Dorn (Exhibit L). He stated security for the event, which will include retail sales of food and beverage, will be based on the number of tickets sold, noting similar events in Waverly, Norfolk and Beatrice had four to six thousand in attendance.

In response to a question from Campbell, Webb stated the event will be canceled and tickets refunded, if there is inclement weather.

Heier questioned why this site was selected, rather than a location with stands and a concession area.

Webb stated a country, rather than a commercial setting was desired, in keeping with the theme of the event. He added that limited seating in structured areas restricts the ability to book national acts.

The Board requested Terry Wagner, Lancaster County Sheriff, to contact the organizers of the events in Waverly, Norfolk and Beatrice and inquire whether problems were encountered in the staging of those events.

## **12 DISCUSSION OF BOARD MEMBER MEETINGS**

- a. Master Plan Steering Committee - Hudkins

Hudkins reported that the air conditioning unit in the Justice and Law Enforcement Center appears to be functioning well. An open house for the building is tentatively planned for the third week in November.

Hudkins also reported on plans to locate restrooms for the County Board and City Council offices under the stairs, noting door clearance prohibits expansion of the conference room.

b. Information Services Policy Committee - Steinman, Heier

Steinman reported that discussion focused on the following:

- \* Internet advocate training
- \* Collection of fees over the Internet
- \* County Special Assessment Project
- \* Y2K Project
- \* Register of Deeds Project
- \* Need for additional disc storage capacity
- \* In-house printing of W-2 forms

Steinman also reported that the Lincoln/Lancaster County Health Department would like to put out a Request for Proposals (RFP) for development of an extensive data collection system. She said this could be prove to be very expensive, as outside support of the system would be needed.

c. District Energy Corporation - Heier, Hudkins

Hudkins reported that the heating and air cooling plant for the State Capitol and State Office Building is completed and functioning.

d. Board of Health - Hudkins

No further report was given.

e. Funders Group - Campbell

Campbell reported that discussion focused on Antelope Valley and the provision of wraparound human services at schools and community centers. She noted her suggestion that planning be dovetailed with the Comprehensive-Based Human Services Needs Assessment and Comprehensive Plan.

**ADJOURNMENT**

By direction of the Chair, the meeting was adjourned.

---

Bruce Medcalf  
Lancaster County Clerk